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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/749,263 | 12/31/2003 | Lisa Leighton | LEIGH-018A | 8486 |
| 7590 | 02/10/2005 | | EXAMINER | |
| Kit M. Stetina, Esq. STETINA BRUNDA GARRED & BRUCKER Suite 250 75 Enterprise Aliso Viejo, CA 92656 | | | MEISLIN, DEBRA S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3723 | |
| DATE MAILED: 02/10/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/749,263 | Applicant(s) LEIGHTON, LISA | |
| | Examiner Debra S Meislin | Art Unit 3723 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/19/04</u> . | 6) <input type="checkbox"/> Other: ____. |

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hoelscher.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoelscher.

Hoelscher discloses all of the claimed subject matter except for having a 5/16 inch cavity and a 1/4 inch cavity. It is noted that Hoelscher discloses:

“is adapted to fit...all standard sizes of valve stems”,

“a plurality of concentrically arranged squared portions...being successively smaller”, and

“axially aligned sockets progressively decreasing in size...correspond to the diameters of the various squared portions 86 found on standard valve stems used in connection with radiator valves or other valves”.

Thus, Hoelscher discloses forming the plural sockets with standard sizes related to valve stems. The examiner takes Official Notice that 5/16 inch and 1/4 inch valve stems are notoriously old and well known in the art. Consequently, it would have been obvious to one having ordinary skill in the art to form the plural

sockets of Hoelscher with standard sizes related to valve stems such as 5/16 inch and ¼ inch cavities as such sizes are known in the art.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoelscher as applied above, in further view of Erm and Ruhlander et al.

Erm discloses a cylindrically-shaped socket. It is noted that it is notoriously old and well known in the socket art to form sockets as cylindrically-shaped. It would have been obvious to one having ordinary skill in the art to form the socket of Hoelscher as cylindrically-shaped as such would have been an obvious variation in shape as taught by Erm.

Ruhlander et al discloses a generally elliptical-shaped handle. It would have been obvious to one having ordinary skill in the art to form the handle of Hoelscher as generally elliptically-shaped to enable the tool to be gripping and rotated as taught by Ruhlander et al.

6. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoelscher in view of Erm as applied above, in further view of Hoff et al.

Hoelscher discloses a handle having a handle socket therein for receiving an end of a shaft "20" and a socket having an opening in one end for receiving the opposite end of the shaft "20". Hoff et al discloses force-fit connections between a shaft, a socket, and a handle. It would have been obvious to one having ordinary skill in the art to form the connections of Hoelscher as force-fit connections to enable the engagement and release between the shaft, socket, and handle allowing for interchangeability as taught by Hoff et al.

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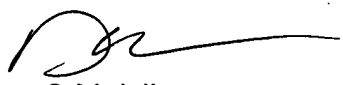
7. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoelscher in view of Erm and Ruhlander et al as applied above, in further view of Hoff et al.

Hoelscher discloses a handle having a handle socket therein for receiving an end of a shaft "20" and a socket having an opening in one end for receiving the opposite end of the shaft "20". Hoff et al discloses force-fit square connections between a shaft, a socket, and a handle. It would have been obvious to one having ordinary skill in the art to form the connections of Hoelscher as force-fit square connections to enable the engagement and release between the shaft, socket, and handle allowing for interchangeability as taught by Hoff et al.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra S Meislin whose telephone number is 571 272-4487. The examiner can normally be reached on M-F, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 2/8/05
Debra S Meislin
Primary Examiner
Art Unit 3723